

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

DAVID LEE HARMON,

Plaintiff,

v.

Case No.: 2:20-cv-140-FtM-38NPM

CAROL'S AUTO INSURANCE,
CAROL WARD, TOYOTA NORTH
AMERICA INC. and VENICE
TOYOTA,

Defendants.

OPINION AND ORDER¹

This matter is before the Court on *sua sponte* review of the file. On March 3, 2020, the Court directed Plaintiff to file an amended complaint that complied with the Federal and Local Rules of Civil Procedure. ([Doc. 4](#)). The Court provided Plaintiff with a reasonable opportunity to respond to the Order and Plaintiff was put on notice that the case would be dismissed if he failed to comply. As of the date on this Order, Plaintiff has neither complied with the Court's Order, nor sought an enlargement of time to do so. Thus, the Court finds Plaintiff has failed to prosecute this case and that the case is due to be dismissed without prejudice under M.D. Fla. Rule 3.10(a). Because the Court is dismissing this action without prejudice, Plaintiff may file a new complaint if he wishes to pursue his claim.

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

Accordingly, it is now

ORDERED:

1. Plaintiff David Lee Harmon's case is **DISMISSED without prejudice.**
2. The Clerk of Court shall enter judgment, terminate any pending motions as moot, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 10th day of April 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

SA: FTMP-2

Copies: All Parties of Record